

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE

JOSEPH P. SCHMITT, pro se  
Plaintiff,

v.

ROBERT MURPHY,  
ROBERT D. CLAUSS,  
DUANE MACFACHERN,  
KATHLEEN M. DENNEHY,  
TIMOTHY HALL,  
Defendants.

C.A. No. 05-015348-NG  
U.S. DISTRICT COURT  
DISTRICT OF MASS

2006 JUN 12 P 2:34

**PLAINTIFF'S MOTION TO CORRECT CLERK'S DOCKETING ERROR**

Now comes the pro se plaintiff, Joseph P. Schmitt, and moves that the docketing errors of the Clerk be corrected before this action moves forward so as to avoid future litigation problems over who is and who is not a named and served litigant of this action.

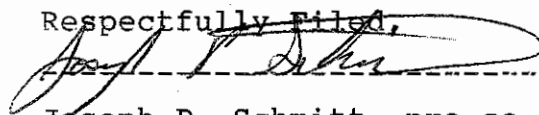
As grounds thereof, plaintiff states the following.

1. The docket sheet in this action indicates four defendants whom are not, by the plaintiff's original complaint, named defendants. Said erroneous defendants are as follows: David Leonard; Mark Dare; Steven Fairly and Robert J. Waitkevich.
2. As indicated on plaintiff's complaint, cover page, the named defendants are; Robert Murphy; Robert D. Clauss; Duane MacEachern; Kathleen M. Dennehy and Timothy Hall.
3. The addition of defendants not named by plaintiff shall only cause confusion and unnecessary filing of pleadings by the defendants counsel and a waste of judicial time and resources.

**WHEREFORE**, Plaintiff prays this Court ORDER the Clerk of Court to correct the docket in this action and list only the defendants plaintiff has indicated on the cover page of his original complaint and under the caption of "PARTIES" in said complaint.

Dated: June 9 ,2006

Respectfully Filed,

A handwritten signature in black ink, appearing to read "Joseph P. Schmitt", is written over a horizontal dashed line.

Joseph P. Schmitt, pro se  
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